

## MEMORANDUM

TO: Mayor Craig Brown and Members of Council

CC: City Manager Office, Executive Leadership Team, City Attorney Office

FROM: Sally Bakko, Director of Policy and Governmental Relations

DATE: October 28, 2022

RE: Legislative Report: Austin and Washington Updates

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Please find below updates on legislative activities in Austin and Washington. (*To access links below, control+click on link.*)

### San Jacinto Region 6 Regional Flood Planning Group Update

This week, City Manager Brian Maxwell submitted a comment letter (see attached) to the San Jacinto Region 6 Regional Flood Planning Group (Region 6 RFPG) technical consultant raising concerns about factoring a heavy weight on natural and nature-based solutions when evaluating flood mitigation projects without considering the unique circumstances and topography of coastal communities like Galveston. Brian Maxwell serves as the Coastal Communities Representative voting member on the Region 6 RFPG.

A key remaining component in the San Jacinto Region 6 Regional Flood Planning Group (Region 6 RFPG) flood planning process is Task 12 - Perform Identified Flood Management Evaluations (FMEs), Identify, Evaluate, and Recommend Additional Flood Mitigation Projects (FMPs). The process underway is establishing selection criteria and identifying a level of effort to perform FMEs relative to the available budget.

FMEs could advance to projects that will ultimately be included in the Amended Region 6 RFPG Regional Flood Plan and then possibly merged into the State Flood Plan developed by the Texas Water Development Board (TWDB). Recommended FMPs in the regional flood plan is not an indication of endorsement by the Region 6 RFPG, but will ensure projects are eligible for funding from the [State Flood Infrastructure Fund \(FIF\)](#). The FIF program, established in 2019, provides grants and loans for drainage, flood mitigation, and flood control projects. Once the first state flood plan is adopted by the TWDB in 2024, the FIF may only be used to provide financing for flood projects included in the state flood plan. TWDB is requesting \$375 million in new project funding for the FIF for the 2024-2025 biennium.

#### Important Dates Remaining for Region 6 RFPG Deadlines:

- Public Comment Period ends October 28<sup>th</sup>
- December 8<sup>th</sup> Region 6 RFPG Approves Final 2023 Region 6 Regional Flood Plan
- January 10, 2023 Final 2023 Region 6 Regional Flood Plan Due to Texas Water Development Board (TWDB)
- June 8, 2023 Region 6 RFPG Approves Amended 2023 Region 6 Regional Flood Plan (including any added FMEs and FMPs)
- July 14, 2023 Final 2023 Amended Region 6 Regional Flood Plan due to TWDB

## Austin Update

### State Leaders Announce Additional \$874.6 Million For Public Safety Initiatives

Governor Greg Abbott, Lieutenant Governor Dan Patrick, Speaker Dade Phelan, Senate Finance Committee Chair Joan Huffman, and House Appropriations Chair Dr. Greg Bonnen today announced the [transfer of more than \\$874.6 million](#) to support critical public safety and recovery initiatives, such as border security and school safety, during the current biennium.

\$874.6 million will be transferred to state agencies and programs for initiatives that include enhanced border security operations and school safety. The funding will provide:

- \$400 million to assist school districts in replacing or upgrading doors, windows, fencing, communications, and other safety measures;
- \$15 million to assist in the construction of a new elementary school in Uvalde;
- \$339 million to the Texas Military Department for continued border security activities related to Operation Lone Star;
- \$20.6 million to support other state agencies under Operation Lone Star to continue responding to the border crisis; and
- \$100 million to the Texas Division of Emergency Management for COVID-19 response expenses.

Read [the proposal letter](#) from state leadership and the approval letter from the Governor.

### 88<sup>th</sup> Texas Legislature – Regular Session Key Dates

**November 14, 2022** – Prefiling of bills by legislators begins.

**January 10, 2023** – Texas Legislature Convenes

**March 10, 2023** – 60-Day Bill Filing Deadline

**May 29, 2023** – Adjournment Sine Die (140<sup>th</sup> day or 20 weeks)

### Texas Comptroller Local Government Broadband Roundtable on November 2<sup>nd</sup>

The Texas Comptroller of Public Accounts' Broadband Development Office (BDO) will conduct the next monthly roundtable discussion for local governments on broadband readiness and funding on

**November 3 at 10:00 a.m.** The last roundtable focused on the proposed rules governing the BDO and an overview of broadband efforts. Access the roundtable discussion by using this [meeting link](#). Send broadband questions or future agenda ideas to [broadband@cpa.texas.gov](mailto:broadband@cpa.texas.gov).

Other related information from the Texas Broadband Development Office:

- [Funding Resources](#), [Maps and Data Collection](#), and [Texas Broadband Listening Tour: What We Heard](#)
- [Texas Broadband Plan](#)
- Presentation given to the House Texas House Appropriations Committee on October 26, 2022 (attached)

## Washington Update

### FEMA Releases Public Assistance Simplified Procedures Policy for Public Comment

Last week the Federal Emergency Management Agency (FEMA) [announced](#) it has released the draft Public Assistance (PA) Simplified Procedures policy to streamline and further simplify implementation of the PA program. The [policy](#) will define FEMA's simplified procedures and requirements for Small Projects funded under the PA program and is available for public comment, with comments due by November 16.

## **DOJ Releases Byrne SCIP Formula Solicitation, Announces Community Crises Grant Awards**

The Department of Justice (DOJ) made two recent funding announcements. First, DOJ [announced](#) the Fiscal Year 2022-2023 Byrne State Crisis Intervention Program (SCIP) formula [solicitation](#) is now available. Authorized by the *Bipartisan Safer Communities Act* (BSCA), the program provides funding for the creation and/or implementation of extreme risk protection order programs, state crisis intervention court proceedings, and related gun violence reduction/initiatives. Applications are due by December 12; an allocation table can be found [here](#) and frequently asked questions [here](#). Second, the department [announced](#) grant awards across five programs totaling more than \$44 million to help communities address crises involving homelessness, mental health and substance use disorders.

## **Reports of Interest**

### **Climate-proofing the National Flood Insurance Program – Policy Brief**

*Nature Climate Change*

*Authors: Lars T. de Ruig, Toon Haer, Hans de Moel, Samuel D. Brody, W.J. Wouter Botzen, Jeffery Czajkowski, Jeroen C.J.H. Aerts*

### **GAO Issues Report on PFAS in Water Systems**

On Wednesday the U.S. Government Accountability Office (GAO) released a [report](#) on per- and polyfluoroalkyl substances (PFAS) in drinking water. The report examines the occurrence of PFAS in drinking water in selected states, demographic characteristics of communities, and factors that influenced states' decisions to test and develop standards or guidance for PFAS in drinking water. GAO recommends that the Environmental Protection Agency (EPA) conduct a nationwide analysis using comprehensive data to determine the demographic characteristics of communities with PFAS in their drinking water.

### **Disaster Assistance:**

#### **Actions Needed to Strengthen FEMA's Housing Inspections Process**

GAO-23-104750, October 26

### **US mayors get ready to leverage new transportation grants** *(Bloomberg Cities Network)*

### **Lack of Transportation Hinders Community College Students**

Pew Trusts.org - 10/24/2022